

SENATE BILL 1038

By Kelsey

AN ACT to amend Tennessee Code Annotated, Title 39
and Title 40, relative to organized crime.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-12-203, is amended by deleting subdivisions (9) and (13) in their entireties and substituting the following:

(9) "Racketeering activity" means to commit, to attempt to commit, to conspire to commit, or to solicit, coerce, or intimidate another person to commit an act for financial gain that is a criminal offense involving controlled substances, and the amount of controlled substances involved in the offense is included under § 39-17-417(i) and (j) and its subdivisions or involving aggravated sexual exploitation of a minor, especially aggravated sexual exploitation of a minor under §§ 39-17-1004(b)(1)(A) and 39-17-1005(a)(1), trafficking for commercial sex acts under § 39-13-309, promoting prostitution under § 39-13-515, patronizing prostitution under § 39-13-514(b)(4)(A), solicitation of a minor under § 39-13-528(a), or soliciting sexual exploitation of a minor, exploitation of a minor by electronic means under § 39-13-529, or to commit, attempt to commit, conspire to commit, or to solicit, coerce, or intimidate another person to commit a criminal gang offense, as defined in § 40-35-121(a);

(13) "Unlawful debt" means any money or other thing of value constituting principal or interest of a debt that is legally unenforceable in this state in whole or in part, because the debt was incurred or contracted in violation of:

(A) Chapter 17, part 4 of this title, and the amount of controlled substances involved in the violation is included under § 39-17-417(i) or (j);

- (B) Sections 39-17-1004(b)(1)(A) and 39-17-1005(a)(1), involving especially aggravated sexual exploitation of a minor;
- (C) Section 39-13-309, involving trafficking for commercial sex acts;
- (D) Section 39-13-515, involving promoting prostitution;
- (E) Section 39-13-514(b)(4)(A), involving patronizing prostitution;
- (F) Section 39-13-528(a), involving solicitation of a minor; or
- (G) Section 39-13-529, involving soliciting sexual exploitation of a minor, exploitation of a minor by electronic means.

SECTION 2. This act shall take effect July 1, 2013, the public welfare requiring it.